

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Amendments To Harmonize and Streamline Part 20)	WT Docket No. 16-240
Of the Commission's Rules Concerning)	
Requirement for Licensees To Overcome a CMRS)	
Presumption)	
To: The Commission		

**COMMENTS
OF
GOVERNMENT WIRELESS TECHNOLOGY & COMMUNICATIONS ASSOCIATION**

The Government Wireless Technology & Communications Association (“GWTCA”), through counsel and pursuant to Section 1.415 of the Commission’s Rules, 47 C.F.R. §1.415, hereby respectfully submits its Comments in the above-referenced proceeding.

The Government Wireless Technology & Communications Association (“GWTCA”) is a newly-established non-profit trade association created to advocate on behalf of government and non-government users of wireless technology and communications in the public service industries, such as public transit.¹ GWTCA’s membership includes government agencies, manufacturers, engineers and consultants working on a variety of issues impacting represented users. As government agencies and transit operators have had the need to submit waivers to operate on spectrum authorized pursuant to Part 20 of the Commission’s Rules, GWTCA has a significant interest in this proceeding.

¹ www.gwtca.org.

In this proceeding, the Commission seeks to eliminate the presumption that applicants for spectrum identified in Section 20.9 of the Commission's Rules will operate as Commercial Mobile Radio Service ("CMRS") entities. The Commission proposes to eliminate this presumption, and allow entities to designate their intended type of operations.

GWTCa supports the Commission's proposal, and applauds the Commission for initiating this proceeding on its own motion. Government entities, in dire need of usable spectrum, have increasingly sought to utilize spectrum subject to Section 20.9 of the Commission's Rules. As a result, these entities have consistently been required to request waivers (or submit certifications pursuant to Section 20.9(b)) to utilize the designated spectrum for internal operations.² The need to file a waiver request needlessly delays the application process, engages unnecessarily the Commission's scarce resources, and causes uncertainty on the part of potential licensees with regard to potential spectrum for operations.

GWTCa believes that the CMRS presumption, which may have been pertinent when adopted, no longer serves a useful purpose. WHEREFORE, the premises considered, it is respectfully requested that the Commission eliminate the CMRS presumption contained in Section 20.9 of the Commission's Rules.

Respectfully submitted,

GOVERNMENT WIRELESS TECHNOLOGY
& COMMUNICATIONS ASSOCIATION

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² See, for example, *County of Monterey, California*, DA 10-1994, released October 18, 2010.